

RICHARD C. EYMAN
Eymann Allison Hunter Jones, P.S.
2208 West Second Avenue
Spokane, WA 99201-5417
(509) 747-0101

STEPHEN L. NORDSTROM
Nordstrom & Nees, P.S.
323 S. Pines Road
Spokane, WA 99206
(509) 924-9800

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF WASHINGTON

THOMAS A. WAITE,

Plaintiff.

THE CHURCH OF JESUS CHRIST OF
LATTER DAY SAINTS d/b/a
CORPORATION OF THE PRESIDING
BISHOP OF THE CHURCH OF JESUS
CHRIST OF LATTER DAY SAINTS, a
Utah corporation, d/b/a
CORPORATION OF THE PRESIDENT
OF THE CHURCH OF JESUS CHRIST
OF LATTER DAY SAINTS, a Utah
corporation; DONALD C. FOSSUM;
and STEVEN D. BRODHEAD.

No. CV-05-399-EFS

**PLAINTIFF'S IDENTIFICATION
OF EXPERT WITNESSES AND
DISCLOSURE OF EXPERTS'
PRELIMINARY REPORTS**

Defendants.

Plaintiff, by and through his undersigned attorneys, hereby submits the following expert disclosures:

1. John E. Hunter
Investigative Training Service
P.O. Box 1724
Woodinville, WA 98072

EYMAN ALLISON HUNTER JONES P.S.

2208 WEST SECOND AVENUE • SPOKANE, WA 99201-5417
TELEPHONE: (509) 747-0101 • FAX: (509) 458-5977

1 Mr. Hunter is an Accident Reconstructionist. He is expected to testify
 2 that both defendants Brodhead and Fossum were at fault for the collision:
 3 Brodhead because of his excessive speed and inefficient brakes; and
 4 Fossum because of his failure to be attentive and to check for traffic to
 5 his left before entering the intersection. Mr. Hunter is available for his
 6 deposition on January 18, 2007 at 10:00 a.m. at a location to be
 7 determined in the Seattle, Washington area. Mr. Hunter's preliminary
 8 expert report, CV and case listings are attached as Exhibit "A."

- 9
 10 2. Duane Green, Ph.D.
 11 Spokane Psychiatry and Psychology, P.S.
 12 Sacred Heart Doctors Building
 13 105 West Eighth Avenue, Suite 408
 14 Spokane, WA 99204

15 Dr. Green is a Clinical Psychologist. He is expected to testify
 16 concerning his testing of Thomas Waite and the results thereof.
 17 Dr. Green is available for his deposition on January 9, 2007 at
 18 10:00 a.m. at his office in Spokane, Washington. Dr. Green's
 19 preliminary expert report, CV and case listings are attached as
 20 Exhibit "B."

- 21 3. William A. Burkhart, Ph.D.
 22 Ballinger Professional Offices
 23 20056 - 19th Avenue NE
 24 Shoreline, WA 98155

25 Dr. Burkhart is a Forensic Neuropsychologist. He is expected to testify
 26 concerning his review of Dr. Green's evaluation and testing of Thomas
 27 Waite and the results thereof as well as his review of all of Thomas'
 28 academic and medical records. Dr. Burkhart is available for his
 deposition on January 17, 2007 at 9:30 a.m. at his office in Shoreline,
 Washington. Dr. Burkhart's preliminary expert report, CV and case
 listings are attached as Exhibit "C."

- 1 Anthony J. Choppa, M.Ed., C.R.C.
 2 Vocational Rehabilitation Counselor
 3 OSC Vocational Systems, Inc.
 4 10132 NE 185th
 5 Bothell, WA 98011

6 Mr. Choppa is a Vocational Rehabilitation Counselor and Life Care
 7 Planner. He is expected to testify to the loss of, and impairments to,
 8 present and future wage earning capacity as a result of Thomas Waite's
 9 residual impairments and disabilities as well as future medical costs
 10 and/or care expenses related to Thomas Waite's treatments and daily
 11 living needs subsequent to this injury. Mr. Choppa's opinions are
 12 supported by the medical records and bills reflecting Thomas Waite's
 13 past treatments and is based on his review of reference materials for life

14
 15 EYMAN ALLISON HUNTER JONES P.S.
 16

1 care planning and information obtained from plaintiff Thomas Waite and
 2 his parents. Mr. Choppa is available for his deposition on January 17,
 3 2007 at 1:30 p.m. at his office in Bothell, Washington. Mr. Choppa's
 4 preliminary expert report, CV and case listings are attached as
 5 Exhibit "D."

- 6
- 7 5. Dan Harper, CPA
 8 Harper Inc.
 9 601 W. Main Avenue, Suite 814
 Spokane, WA 99201

10 Mr. Harper is an Economist. He is expected to testify to the economic
 11 loss of Thomas Waite and other issues bearing upon economic damages
 12 of the plaintiff. Mr. Harper is available for his deposition on January 29,
 13 2007 at 2:00 p.m. at his office in Spokane, Washington. Mr. Harper's
 14 preliminary expert report, CV and case listings are attached as
 15 Exhibit "E."

16 Plaintiff reserves the right to supplement these disclosures listed above as
 17 discovery is ongoing.

18 DATED this 20th day of November, 2006.

19 EYMANN ALLISON HUNTER JONES, P.S.

20 BY s/ Richard C. Eymann
 21 RICHARD C. EYMANN, WSBA #7470
 22 Co-counsel for Plaintiff

23 NORDSTROM & NEES, P.S.

24 BY Telephonically approved 11/20/06
 25 STEPHEN L. NORDSTROM, WSBA #11267
 26 Co-counsel for Plaintiff

27 EYMANN ALLISON HUNTER JONES P.S.

CERTIFICATE OF SERVICE

I, RICHARD C. EYMANN, hereby certify that on the 20th day of November, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following participants:

Brian T. Rekofke
Witherspoon Kelley Davenport & Toole
1100 U.S. Bank Building
422 W. Riverside Avenue
Spokane, WA 99201

Andrew C. Smythe
Paine Hamblen Coffin Brooke & Miller
717 W. Sprague Avenue, Suite 1200
Spokane, WA 99201

s/Richard C. Eymann
RICHARD C. EYMANN

EYMAN ALLISON HUNTER JONES P.S.

Exhibit “A”

Investigative Training Service



I.T.S.
P. O. Box 1724
Woodinville, Washington 98072
Email: hunterits@comcast.net
Phone: 425.788.7590
Fax: 206.374.2456

November 9, 2006

Mr. Stephen Nordstrom
Nordstrom & Nees
323 S. Pines
Spokane, Washington 99206

RE: Waite v. LDS Church, et al.

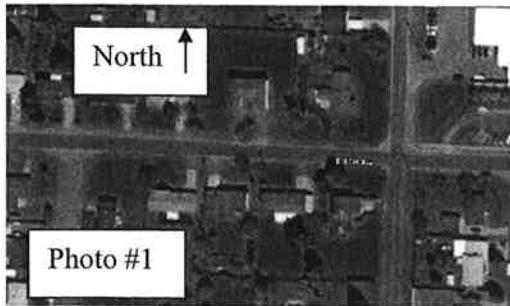
Dear Mr. Nordstrom:

I am a collision reconstructionist accredited by the Accreditation Commission for Traffic Accident Reconstruction (ACTAR #48) and a retired member of the Washington State Patrol. My last assignment with WSP was as the Detective-Sergeant in charge of the Major Accident Investigation Team (M.A.I.T.). My attached resume fully describes my training in the field of collision reconstruction and analysis. I am being compensated at the rate of \$195.00 per hour for my time in analyzing this collision.

My analysis is based on a consideration of the following information:

- A copy of the Police Traffic Collision Report (PTCR)
- A copy of the Spokane Valley Police investigative file including statements, color photographs and a scene diagram.
- Copies of color photographs of the damage to both vehicles.
- Database information on a 1988 Honda Accord sedan.
- Database information on a 2003 Dodge Dakota pickup.
- An aerial photograph of the collision site.

This collision occurred at the intersection of 8th Avenue and Adams Road in the City of Spokane Valley on August 21, 2003 at 2:10 in the afternoon. The intersection was controlled by stop signs for both 8th Avenue and Adams Road. The posted speed limit was 35 mph on 8th Avenue and 25 mph on Adams Road. The aerial photograph (photo #1) illustrates the environment at the intersection. Each roadway is approximately 30 feet wide.



Steven Brodhead was traveling eastbound on 8th Avenue approaching a stop sign. Donald Fossum was traveling northbound on Adams and had stopped for the stop sign. Brodhead failed to see the stop sign in time and began to skid as his vehicle approached the intersection. Fossum accelerated into the intersection failing to detect the eastbound Brodhead Honda. The Honda slid past the stop

sign and impacted the left rear axle area of the Fossum Dodge Club Cab pickup truck. The impact caused both vehicles to rotate counterclockwise. Mark Ryan and Thomas Waite were passengers riding in the rear bed of the Fossum pickup and were ejected from the vehicle during the impact phase.

The collision was documented by members of the Spokane County Sheriff's Office. Among the data collected was the pre-collision skid marks from the front wheels of the 1988 Honda Accord, driven by Steven Brodhead. The maximum pre-collision skid distance was approximately 260 feet. The investigating officers also documented the scene by use of the Total Station survey equipment.

Based on the Spokane Sheriff's Office investigation, the speed of the Honda was calculated at 61 mph, not including the impact speed loss. When the impact speed is analyzed, the speed of the eastbound Honda calculates to a speed of 65-70 mph at the beginning of the skid marks. These calculations are consistent with the witness and passenger statements of the speed of the Honda just prior to braking. The table shown below summarizes these statements:

Name:	Position:	Age:	Speed of Honda:
Steven Brodhead	Driver of Honda	17	70 mph and slowing
Donald Fossum	Driver of Dodge	20	Did not notice Honda
Rochelle Hamilton	Middle Rear of Honda	17	65 mph
Rebecca Hamilton	Right Rear of Honda	17	60~65 mph
Lenwood Bendele	Witness	Unknown	Twice Limit (70 mph)
Janis Klise	Witness	Unknown	45-50 mph
Jennifer Castor	Witness	Unknown	35 mph
Sheila Brown	Right Front of Honda	Unknown	70 mph

Analysis:

Detective Miya was the investigating officer for the Spokane County Sheriff's Office. He was responsible for analyzing and documenting the collision. As part of his investigation, he conducted deceleration tests at the scene of the collision and examined the scene evidence. He also inspected the 1988 Honda. Specifically he examined the rear tires of the Honda for what is known as "skid pads"¹. The vehicle had skidded for 260 feet and there was no tire marks left by the rear wheels. He looked for the evidence of skidding on the rear tire and found none. If the rear tires were locked and skidding for 260 feet, he should have found "skid pads" as evidence. He concluded that the rear tires were not locked during the time the Honda was skidding prior to the collision. Miya also examined the braking system on the Honda and determined that the brake fluid was at the minimum level and that the brake pedal became harder after being pumped. Because of this he reduced the effective drag factor of the Honda from 0.77g to approximately a 0.48g while skidding the 260 feet.

¹ Skid pads are scuff marks left on the tire tread as a result of a non-rolling tire dragging across a paved surface.

Based on the Spokane Sheriff's investigation information, I have calculated the pre-collision speed of the Honda at approximately 65~70 mph at the beginning of the skid mark. For purposes of this analysis, I have assumed a speed of approximately 68 mph for the Honda just prior to leaving the documented skid marks.

I completed a time/distance analysis based on all the available data. The basic assumptions are that the Fossum Dodge Dakota pickup started from a stop and accelerated at a normal rate; that the Brodhead Honda Accord was traveling at approximately 68 mph just prior to the beginning of the skid marks; that the Honda was skidding without locking the rear wheels; and that the impact resulted in both vehicles coming to rest as shown in the photographs and documented by the police measurements.

At a speed of 68 mph, Brodhead would have traveled approximately 150 feet during his reaction distance, given a 1½ second reaction time. He would have then skidded for 260 feet to the point of impact. His impact speed would have been approximately 30 mph. The time it would have taken his vehicle to skid the 260 feet would have been 3.7 seconds. This means that at the point of notice of the stop sign, Brodhead was 5.2 seconds and 410 feet away from the point of impact.

Fossum was required by RCW 46.61.190(2) to stop "at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the roadway and after having stopped shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time when such driver is moving across or within the intersection of junction of roadways."

The Fossum Dodge Dakota pickup stopped at the stop sign for northbound Adams and entered the intersection at a normal rate of acceleration. The time it would have taken the Dodge to travel approximately 25 feet to the point of impact would have been approximately 2.8 seconds. The Dodge would have been traveling at approximately 12 mph at impact.

This means that the Honda was skidding for a little less than a second (approximately 0.9 seconds) and for a distance of 84 feet prior to the Dodge accelerating from a stopped position and entering the intersection. At the time that Fossum began to accelerate into the intersection, the Honda was traveling at approximately 58 mph and was only 176 feet from the point of impact.

If Fossum had stopped as required by RCW 46.61.190(2), at the point nearest the intersecting roadway where the driver has a view of approaching traffic, he would have been afforded a clear view to his left for a distance of over several hundred feet. Furthermore, Brodhead stated to the investigating officer that "he saw the truck at a full stop at the stop sign at 8th & Adams, (and) then watched it pull out."² Obviously, if Broadhead can see Fossum, Fossum should be able to see Brodhead approaching. In

² See page four of the investigative report.

addition to this, the sound of the skidding tires from the Honda should have presented an audible cue to Fossum prior to his pulling out into the intersection.³

Clearly the Brodhead Honda was traveling in excess of the 35 mph speed limit and ultimately failed to stop for the stop sign. If the brakes on the Honda been capable of decelerating at a 0.77g, the Honda would have stopped in 200 feet or 60 feet short of the point of impact.

However, Fossum had a flaw in his driving strategy and should have been able to detect and identify the approaching Honda as an immediate hazard and not enter the intersection. The Honda had been skidding for approximately one second before Fossum accelerated and the Honda continued to skid into the left rear axle of the Dodge pickup 2.8 seconds later. In my opinion, Fossum was inattentive and contributed to the collision. Had Fossum exercised reasonable care and checked traffic to his left before entering the intersection, the collision would not have occurred.

Should you need additional evaluation of this collision, please let me know.

Sincerely,



John Hunter, ITS

Attachment

³ Both Ross and Hansen, passengers in the Dodge, stated that they heard tires squealing and Ross also saw smoke coming from the tires of the approaching Honda.

Resume

John E. Hunter
Investigative Training Service
P. O. Box 1724
Woodinville, Wa. 98072
Telephone: (425) 788-7590
FAX: (206) 374-2456
Email: hunterits@comcast.net

LAW ENFORCEMENT EXPERIENCE:

- 25 years of service with the WASHINGTON STATE PATROL.
- 14 years working in the field of law enforcement assigned to Traffic Law Enforcement.
- 7 ½ years of service working as a detective assigned to the Investigative Services Bureau. Fatality investigation specialist.
- 3 ½ years of service as a Detective/Sergeant in-charge of the Major Accident Investigation Team (M.A.I.T.)

RELATED TRAINING:

- 15 weeks basic training at the State Patrol Academy.
- 80 hours of Basic Accident Investigation.
- 40 hours of in-service training. (Annually)
- 80 hours of criminal investigation training - Bellevue P.D.
- 80 hours of Advanced Accident Investigation - WSP Academy
- 40 hours of Truck Accident Investigation training. - WSP Academy
- 80 hours of Technical Accident Investigation training. WSP Academy
- 80 hours Accident Reconstruction - Northwestern University Traffic Institute
- 24 hours of Forensic Techniques in Death Investigation - CJTC
- 24 hours of Basic Detective Training. - WSP Academy
- 8 hours of Theory on Conservation of Linear Momentum Seminar - WATAI
- 20 hours of Interview and Interrogation Techniques - FBI at WSP Academy
- 40 hours of Homicide Investigation - WSP
- Monthly meetings Collision Analysis/Body Damage - King County M. E. Office
- 40 hours ANACAPA Criminal Analysis training - WSP
- Certified Marijuana Leaf Identification expert - WSP Crime Lab
- Trained in radar techniques.
- Trained in breathalyzer/infrared breath testing.
- Trained in pursuit driving techniques.

- Anti-lock brake testing seminar - W.A.T.A.I. 1985
- Air timing and braking systems seminar - W.A.T.A.I.
- Brake system and balance seminar - Midland Corporation
- Anti-lock/front wheel drive testing seminar - W.A.T.A.I. 1986
- Studded tire testing seminar - W.A.T.A.I. 1985
- 40 hours Microcomputer Application Programs for Traffic Accident Reconstruction - N.W. Traffic Institute
- 6 Hours Narcotic Trafficker Identification
- 80 Hours of Advanced Homicide Investigation - C.J.T.C.
- 20 Hours Car/Pedestrian Seminar - W.A.T.A.I.
- 8 Hours Motorcycle Dynamics - W.A.T.A.I.
- Tire Friction Test Seminar - W.A.T.A.I.
- Human Factors Seminar - W.A.T.A.I.
- Attend 1988 SAE "State of the Art Accident Reconstruction" - International Congress.
- Truck Dynamic Seminar - W.A.T.A.I. 1988
- Yearly Accident In-Service Training - WSP Academy
- Lateral Wind Shift of Mini Vans Test Seminar - W.A.T.A.I.
- Traffic Accident Analysis & Reconstruction Course - George Washington University School of Engineering
- Heavy Vehicle Braking Systems - Bendix Factory Training - 40 Hours
- 1989 W.A.T.A.I./S.O.A.R. Conference - Seattle, Wa. (Trucks, Car/Pedestrian, Car/Bicycle, Seat Belts)
- National Safety Council - International Forum El Paso, Texas (Guest Speaker)
- Eaton/Fuller Transmission/Axle & Brake Systems Factory Training - Hayward, California - 36 Hours
- Washington Motorcycle Safety Foundation Course - 20 Hours
- Washington State Patrol Motorcycle Operator's Course - 80 Hours - WSP Academy
- National Transportation Safety Board - Crush Energy Analysis
- Motorcycle In-Service & Re-Certification - 16 Hours
- Death Investigation Seminar - U of W School of Medicine/Medical Examiner's Office (Guest Speaker)
- W.A.T.A.I. - Truck Accident Investigation Seminar - Portland, Oregon
- T.A.A.R - S.O.A.R. - W.A.T.A.I. Conference/Crash Tests - Texas A & M University.
- SAE Future Transportation Technology Conference - San Diego, Ca. August 13-16, 1990.
- WATAI Conference - Oct. 1990; Physics, Total Station Survey, G-Analysis & Motorcycle Deceleration
- SAE International Congress - Accident Reconstruction February 1991
- Law Enforcement & Engineering Conference - February 1991
- Michelin Tire and Vehicle Dynamics Course - Nevada Automotive Test Center - May 1991
- WATAI Conference - Oct. 1991; ABS testing & 4-Wheel Steer Testing
- 1992 Accident Reconstruction Seminar - WDTL - Helmets;

//

- Motorcycle Injury; Truck Collisions; Low Speed Impacts; Bicycle Collision Reconstruction; Icy Roadways
- Forensic Physics Applied to Accident Reconstruction -
- Colorado School of Mines. August 1992.
- WATAI Seminar - Critical Speed Tire Marks, Tacoma - October 1992
- 1993 SAE Accident Reconstruction Technology Conference, Detroit, MI. - March 1993
- ABS Presentation & Discussion Session, Detroit, MI.
- Accident Reconstruction In-Service; Energy Analysis; Drag Factors; Heavy Truck Braking; ABS - May 1993
- Commercial Vehicle Accident Investigation & Reconstruction - Arkansas State University June 1993 (40 Hours)
- 1993 WATAI/SOAR/TAAR Combined Seminar - Perception/Reaction & Night Vision; Collision Fraud Investigation; Snow & Ice Friction Values; Truck Braking & Inspection August, 1993
- Advanced Accident Reconstruction - Texas A&M - 40 Hours - August 1993
- W.A.T.A.I. Seminar - Critical Speed & Lane Change Analysis - October 1993
- W.A.T.A.I. Seminar - Expert Testimony/Video Production Tool/Critical Speed Data May, 1994
- Total Station (SDR) training & certification. WSP Academy June 1994
- Rail/Highway Collision Investigation - Burlington Northern July 1994 - 24 Hours
- 1994 In-Service Training and Certification - Car/Ped; Brake Fluid; Insurance Fraud
- 1995 SAE International Congress - February 27 - March 2, 1995 - Accident Reconstruction Session
- Northwestern University Traffic Accident Reconstruction 2 Course - April 1995 40 hours
- D.O.T. Signal Light Timing training - May 1995 - 3 hours
- Northwestern University Microcomputer-assisted Traffic Accident Reconstruction May 1995 - 40 hours
- Northwestern University Simulation Training - EDSMAC - May 1995 - 24 hours
- Pedestrian/Bicyclist Accident Investigation - Texas A&M University - August 1995 40 hours
- Tire Forensic Training - Michelin Tire - December 1995 - 8 Hours
- 1996 SAE International Congress - Accident Reconstruction Technology & Animation VI February 26~29, 1996
- W.A.T.A.I. May Seminar - Brake Fluid Study; Expert testimony - 5/96
- 1996 Combined W.A.T.A.I./S.O.A.R./T.A.A.R.S. Conference July, 1996 - ABS Truck Brakes; Fatigue; PACCAR Research.
- PC-Crash training course - University of British Columbia - August 1996.
- 1996 Accident In-Service - WSP Academy - Re-certification - 9/96
- Drowsy Driving Conference - Skamania - Nov. 21~22, 1996
- W.A.T.A.I. Spring Conference - May 14, 1997 - Hydraulic Brakes & Critical Speed
- Texas A & M Motorcycle Collision Reconstruction - May 19~23, 1997
- FARO Conference - Truck Rollover & Examination - July 25~26, 1997
- Georgia State Patrol - Motorcycle Collision Reconstruction - August 4~8, 1997.
- High Speed & Low Speed Impact Seminar - PCCRASH Training - August 18~22, 1997.

- Bio-Mechanics and Injury Causation - FARO Conference January 20, 1998.
- SAE International Congress - Detroit, MI - February 23~26, 1998.
- SOAR - WATAI - TAARS Conference - Colorado Springs, Co. - Vehicle Fires; Visibility Issues; Motorcycle Collisions; Injury Biomechanics in Low-Speed Collisions. August 28-30, 1998.
- WATAI Conference - Bremerton, Washington - Crash test; Lane change testing - October 7 & 8th, 1998.
- Motorcycle Maintenance Course - Lake Washington Technical College Sept 30~ Nov 18, 1998.
- TAARS Conference - Houston, Texas - GM 2nd Generation Airbag & Seat belt Technology, Hydraulic Brake Components & Inspection - January 22~23, 1999.
- 1999 SAE International Congress - Detroit, MI. - March 1~3, 1999. (SP-1407).
- 1999 FARO Conference - Eugene, Or. - April 1st, 1999 - Offset Frontal Impacts; Air Bag deployment; E.C.M.'s Data Collection; Low Speed Impact Forces. (8 Hours)
- W.A.T.A.I. Conference May 12, 1999 - Crash test results; Lane Change test results; Total Station; Photography & Animation; Low Speed Impacts.
- FARO Conference July 14~17, 1999 - Redmond, Or. - Crash tests (2 Car & Pole Crashes); Energy analysis; Crush Coefficients & Photographic Documentation.
- Texas A & M - Analysis of Low Speed Collisions - 40 hours - CJTC August 23~27, 1999.
- WATAI Conference - Seattle, Washington - High Rise vehicle collision investigation - Measuring C.G Height - Deceleration test of altered vehicles. 10/13~14, 1999.
- SAE World Congress - Detroit, Michigan - March 6~10, 2000.
- W.A.T.A.I. May 2000 Conference; Traffic Signal Timing, Sun Positioning, Vetriconic Acquisition Equipment.
- Occupant Kinematics Conference - CIREN (Crash Injury Research & Engineering Network)- CJTC - June 7th & 8th, 2000.
- FARO Conference July 7, 2000 - Eugene Oregon - Photogrammetry - PhotoModeler Training; Vetricronics - Reading Airbag Modules.
- WREX 2000 International Conference - College Station, Texas - September 25~29, 2000 Truck testing, Motorcycle testing, Tire friction testing, Staged car crashes, Traffic Signal Timing, etc.
- W.A.T.A.I. Conference - Bremerton - October 11th & 12th, 2000 - Skid testing and coefficient of friction seminar.
- WATAI Conference – CJTC – Newtonian Law – Truck Rollovers – Prof. Frank Navin May 9, 2001.
- SAE – Accident Reconstruction TOPTEC – Tempe, Arizona: Pedestrian Collision, Motorcycle Collisions, Truck Collisions, Simulation Models; Offset/Underride/override Collisions, Restraint Systems, Human Factors, Crash Data Recorders, Tire Disablement & Uncertainty Analysis – May 22~23, 2001.
- PCCrash Advanced Training Seminar – University of British Columbia – August 30~31, 2001.
- W.A.T.A.I. Conference – Human Factor Seminar – Data Retrieval Session – Bremerton. Washington – October 2001.
- Truck ABS deceleration testing – Phoenix Arizona – March, 2002.

- Crash Data Retrieval (CDR) System Operator – 2 Days – CJTC – May 9 & 10, 2002.
- F.A.R.O. Crashfest 2002 conference – July 25, 26 & 27, 2002 . Four test crashes – Vaults & 2 Car Crashes; Evidence Photography & Cad usage.
- Photomodeler Workshop – Seattle Police Department – April 12 & 13, 2003.
- Western Oregon University / Oregon State Police – Car Pedestrian and CDR Training – April 14~15, 2003.
- W.A.T.A.I. Seminar – Courtroom Reconstruction Testimony – Visual Statement Software – Photogrammetry Solutions and I-Witness software. May 22, 2003.
- W.A.T.A.I. Seminar – Metro Bus; Driver's issues and training; Braking Systems; Field-testing – Metro Training Center – Tukwila. October 8 & 9, 2003.
- Crash Zone Training – Basic & Advanced – January 9 & 10, 2004; Beaverton, Oregon.
- Digital Photograph Course - Nikon D100 and Photoshop CS training– April 11~14th, 2004.
- W.A.T.A.I. Conference – Car/Pedestrian Collisions; Log Book Violations; Excel Spreadsheet Usage; Crush Energy Balanced Forces Calculation – May 13 & 14, 2004.
- FARO Conference – Hillsboro, Oregon – Formulas & Reconstruction Overview – July 22 & 23, 2004.
- Using Microsoft Excel in Accident Reconstruction -- Sept 13~17th, 2004; Greg Russell instructing.
- W.A.T.A.I. Fall Conference 2004 – Oversized Vehicle Dynamics; Formula and Momentum and Energy Equation Review.
- Engineering Dynamics HVE training session – March 3rd & 4th, 2005.
- Engineering Dynamics HVE 2006 Forum Workshop February 20~24, 2006.
- 2006 SAE International Congress – Detroit, Michigan – April 4~5, 2006.
- WATAI Fall Conference – Staged Car Crashes; Scene Documentation & Vender Presentations – October 11 & 12th, 2006.

TEACHING EXPERIENCE:

- Develop and implement training programs for police personnel.
- Develop and implement training programs for private sector companies.
- Conduct decentralized training for police personnel.
- Evidence handling techniques.
- Crime scene photography.
- Conduct collision prevention seminars for private corporations.
- Guest instructor Bellevue Community College - Forensic Death Investigation
- Guest instructor Green River Community College - Collision Analysis for Physics/Engineering class.
- Guest instructor Washington State Patrol Academy - Advanced, Technical & Reconstruction Accident Investigation Courses.
- Certified instructor for the Washington State Patrol Academy
- Conduct training for the Fatal Accident Review Team - Washington State Traffic Safety Commission.
- Conduct training for Accident In-Service
- Certified Accident Investigator by WSP

- Guest Speaker University of Washington - 1990 Forensic Death Investigator's Conference
- Present SAE paper #901525 - August 1990
- Guest Speaker W.A.T.A.I. October 1990
- Guest Speaker Law Enforcement & Engineering Conference - February 1991
- Guest Speaker on Vehicle Dynamics & Collision Investigation; IMEAC Conference, Coeur d'Alene, Idaho - December 1992
- Guest Speaker WDTL 1992 Accident Reconstruction Seminar
- Present SAE paper #930896 - March 1993
- Guest Speaker WSTLA Conference - April 1993
- Guest Speaker WATAI/SOAR/TAAR Conference - August 1993
- Instruct Truck Accident Reconstruction - Oregon State Police Academy 3/94
- Instruct Truck Accident Reconstruction Course - Arkansas State University (ASU) - June 1994
- Instruct 1994 Accident In-Service - WSP Academy - Hydraulic Systems
- Instruct Crush Energy Analysis - Oregon State Police - October 1994 - 40 Hours
- Guest Speaker 1994 IMEAC Conference - Coeur d'Alene, Idaho
- Co-author paper on Critical Speed Evaluation - February 1995
- Instruct Truck Accident Reconstruction Course - Arkansas State University (ASU) June 1995
- Instruct Truck Accident Reconstruction - State Traffic Safety Commission - October 1995
- Training of WSP CVEO's on Truck Accident Investigation - Dec & January, 1996
- Truck Brake Maintenance Technical Training - Carlisle Corp. 2/7/96
- Washington Association of Technical Accident Investigator's Seminar May, 1996
Brake Fluid Failure/Expert Witnesses.
- Instruct Truck Accident Reconstruction Course - Arkansas State University (ASU) June 1996
- Instruct 1996 Accident In Service - WSP Academy - 16 Hours. Re-certification September 1996
- Association of State Criminal Investigative Agencies Conference - Speaker 11/96
- Drowsy Driving Conference - Traffic Safety Commission - Speaker November 1996
- Guest Speaker 1996 IMEAC Conference - December - Coeur d'Alene, Idaho.
- Co-author SAE paper "Developing a Crush Profile Estimate by Balancing Impact Forces #970942 - Feb./97.
- Co-author report on Hydraulic Brake Fluid Testing - April/97.
- Presentation to W.A.T.A.I. on Hydraulic Brake Fluid Tests May 14, 1997
- Texas A & M Motorcycle Collision Reconstruction May 19~23, 1997
- WSTTC Collision Investigation Course - Pt. Angeles - July 1~2, 1997
- WSTTC Collision Investigation Course - Spokane - July 21~22, 1997
- Georgia State Patrol - Motorcycle Collision Reconstruction - August 4~8, 1997
- California Highway Patrol - Motorcycle Collision Reconstruction - San Diego - Oct. 13~17, 1997.
- Truck Collision Reconstruction refresher - Criminal Justice Training Center - Dec 1~3, 1997.

- Author SAE paper “Brake Fluid Vaporization as a Contributing Factor in Motor Vehicle Collisions” #980371 - February 1998.
- Guest Speaker - WSTLA Conference - April 1998 - Seattle Convention Center.
- State College - Pennsylvania - Commercial Vehicle Reconstruction Course - May 4~8, 1998.
- Mesquite, Texas - Texas A&M - Motorcycle Collision Reconstruction Course - May 18~22, 1998.
- W.A.T.A.I. Conference - Lane Change Calculations and Test Data Results. May 12, 1999.
- Truck Collision Reconstruction Course - 40 Hours - Clackamas, Oregon November 1~5, 1999.
- Collision Reconstruction Course - Washington State Patrol Academy - June 2000.
- FARO Energy Analysis Conference – Salem Oregon – March 23, 2001
- Basic Collision Investigation Course – Wenatchee National Forest Personnel – April 9th &10th, 2001.
- Truck Collision Investigation – Washington County Risk Pool – April 17~19th, 2001 – Wenatchee.
- Motorcycle Reconstruction Course – 8 Hours – Spokane County Training Center; Spokane P. D. Spokane S.O & Washington State Patrol. May 18, 2001.
- Collision Reconstruction Course – Washington State Patrol Academy – June 2001.
- Energy Analysis Conference - 8 hour course – Spokane County Training Center -- September 21, 2001.
- Technical Training: Everett P.D. & WSP TID – 8 hours Everett P.D. training center, scene documentation and impact analysis, October, 2001
- Energy Analysis Seminar – April 1 &2nd, 2002 – Kitsap County S.O. and WSP personnel.
- Motorcycle Collision Reconstruction Course – Auckland, New Zealand – June 24~28, 2002 – New Zealand Police.
- Motorcycle Collision Reconstruction Course – Wellington, New Zealand – July 1~5, 2002 – New Zealand Police.
- Heavy Truck Collision Reconstruction Course – Santa Rosa California – October 14~18, 2002.
- Heavy Truck Collision Reconstruction Course – Washington State Patrol Academy – October 21~25, 2002.
- University of Washington Private Investigation Program – 3 hours on Basic Collision Investigation – April 8, 2003 – Seattle.
- Oregon State Police Academy – Motorcycle Reconstruction – Truck Brake Calculations April 15~18th, 2003 – Western Oregon University – Monmouth, Oregon.
- Washington State Patrol Academy – Reconstruction School – Coefficient of Friction Class – June 12, 2003
- Washington State Patrol Academy – Staged Car Crash and Motorcycle Crash; Energy Analysis Class – June 16 & 17, 2003.
- Washington State Patrol Academy – Motorcycle Collision Reconstruction – June 25, 2003.
- Lake Washington School District #414 – 4 hour Basic Collision Seminar – August 15, 2003.
- Crush Energy Class – Bellevue Police Department – 7 Hours – May 12, 2004.

- FARO Conference – Formulas review, Momentum & Energy Analysis & Reconstruction Overview – July 22 & 23, 2004.
- W.A.T.A.I. Conference – Momentum, Energy Equation & Collision Evaluation - October 28, 2004.
- Momentum, Energy Analysis Class – Clallam County Sheriff's Office – March 24~25, 2005.
- Collision Evaluation and Analysis Training – WSTIP Conference – March 30th, 2005.
- Crash Analysis and Heavy Truck Training – WACVEO – Leavenworth – June 7, 2005.
- Heavy Truck Collision reconstruction Course – Oregon State Police – Astoria, Ore. August 22 ~ 26, 2005.
- Motorcycle Collision Reconstruction Course – Washington State Patrol – Shelton, Wa. – April 24~28, 2006.
- Crash Analysis Training – Klickitat County Public Works – Goldendale – May 8, 2006.
- Accident Reconstruction Instruction – Spokane Police Training Center – Accident Reconstruction Course – CJTC sponsored – August 2, 2006.
- Crash Analysis Training – Photogrammetry Training – Tacoma Fire Department – September 7, 2006.
- Collision Evaluations and Analysis – Tacoma Police Traffic Unit – 6 Hours Training Session – September 20, 2006.
- Collision Analysis Training – 44th Annual Road Conference – Spokane, Washington = October 4, 2006.

GENERAL:

- “Distinguished Service Award” - Chief George Tellevik - 1985
- Regular member of Washington Association of Technical Accident Investigators.
- Past President of W.A.T.A.I. (1988-1990)
- Past member of Society of Accident Reconstructionists.
- Past Secretary and past Secretary/Treasurer of W.A.T.A.I.
- Member of the Society of Automotive Engineers.
- Graduate of the University of Washington.
- Qualified as an expert witness in District, Superior & Federal Court.
- Past member of the Fatal Collision Research Team - Washington Traffic Safety Commission.
- Investigated over 2,000 on-scene collisions.
- Past member of the Certification Team for WSP Accident Investigators.
- Certified Accident Investigator by the Washington State Patrol.
- Certified as a Traffic Accident Reconstructionist by ACTAR - #48 Exp. 9/29/2007
- Retired Detective/Sergeant in charge of the WSP Major Accident Investigation Team. (M.A.I.T.)
- Certified by the Washington State Patrol - Exp 11/2/96.
- Certified as a Total Station Operator.
- Charter Member of Professional Society of Forensic Mapping. (11/95)
- Appointed to a National Advisory Committee on Commercial Vehicle Collision Investigation & Training. (11/95).
- Past member of the SAE paper review committee of the SAE International Congress.

- Declared an honorary Transportation Engineer by the Washington State Department of Transportation. (April 1997)
- Member of Forensic Accident Reconstructionists of Oregon (FARO) & Executive Board Member (District 4)
- “Outstanding Public Service Award” May 5, 1997 by Governor Gary Locke, Auditor Brian Sonntag & Chief Annette Sandberg.

Trials and Depositions of John Hunter for the last five years:**Year 2001:**

1) Johnson v. Corsini	Deposition	Mike Reilly	97-2-06726-5
2) Gola v. Pietromonaco	Arbitration	Julia Heston	00-2-09340-3 SEA
3) Justice v. Kent	Deposition	Craig Parker	99-2-11488-4 SEA
4) Smith v. Stygar	Deposition	Edwin Snook	99-2-50015-6 SEA
5) Martini vs. Lakeside Ind. & WSDOT	Deposition	Francis Floyd	99-00-798-8
6) Schmidt v. Allstate	Deposition	Edwin Snook	00-2-07283-0 SEA
7) Miller v. Thomas/Nelson	Arbitration	Carolyn Pohlman	99-2-51785-7 SEA
8) Smith v. Stygar	Arbitration	Edwin Snook	99-2-50015-6 SEA
9) Delisle v. Dickinson & Linn	Deposition	Jeffory Adams	99-2-05018-3
10) Copper v. Colvard, Stavig	Deposition	John Matthews	00-2-02683-8KNT
11) Leaming v. Ron's Oil	Mediation	Art Johnson	Eugene, Oregon
12) Gaskin v. King County Metro	Deposition	Linda Gallagher	00-2-19252-5
13) Ashraf v. City of Seattle	Trial	Todd Gardner	98-2-300086-6 SEA
14) Caldwell v. WSDOT	Deposition	Jim Rogers	98-2-24873-4 SEA
15) Cornejo v. Bloom	Deposition	Eric Wright	99-2-14436-8SEA
16) Treat v. Duhman	Deposition	Mike Brown	99-2-03280-1
17) Brown v. Rutledge	Trial	Tom Dinwiddie	0990504
18) Ellis v. Press, et al	Trial	Bob Mannheimer	00-2-10306-9SEA
19) Mercer v. Decker & Budget	Deposition	Glenn Phillips	98-2-13422-0
20) Martini v. WSDOT	Trial	Francis Floyd	99-00-798-8
21) Russell v. Marvich	Trial	Steven Moriarty	99-2-14161-0 KNT
22) Vendl v. Walker	Deposition	Colleen Barrett	00-2-00014-6 SEA
23) Nelli v. Barrow	Deposition	Kirk Bernard	00-2-03570-5 KNT
24) Comstack v. Leung	Deposition	Justin Rose	00-2-26516-6SEA
25) Cho v. Bekins Moving	Arbitration	Joann Pheasant	00-2-02319-4THUR
26) Greene v. Wyman & Verderico	Deposition	Hal Field	00-2-138607 PIER
27) Bragdon v. Murpy	Deposition	Tom Vertetis	00-2-102394PIER
28) Clement v. Garrison	Deposition	Dennis Maloney	3AN-00-11482Civil
29) Green v. Wyman	Trial	Hal Field	00-2-138607 PIER
30) Buchart v. WSDOT	Trial	Greg Wall	99-2-13854-1 PIER
31) Kim v. Joulbert	Arbitration	Tom Crowell	

Year 2002:

1) Buchart v. WSDOT	Trial	Greg Wall	00-2-13854-1 PIER
2) Stephens v. Breen	Deposition	Steve Moriarty	00-2-15086-5 SEA
3) Shinn & Mason v. Anderson	Deposition	Bill Knowles	98-2-03018-5 YAK
4) Grados v. Frost	Arbitration	Tim Lang	00-2-15385-6 SEA
5) Kent v. Nix & WSDOT	Deposition	Jeff Bradley	99-2-00166-7 CLA
6) Cote v. Sleep Country	Deposition	Jeff Robinson	00-2-08618-6
7) Otto/Seyler v. City of Lakewood	Deposition	Rhonda Bershok	01-2-08881-1
8)	Deposition	Peter Strand	

9) Stevens v. WSDOT	Trial	Gary Andrews	
10) Kent v. Nix	Trial	Jeff Bradley	
11) Cote	Deposition	Jeff Robinson	
12) Otto v. Seyler	Deposition	Rhonda Bershok	
13) Austin v. Halmaghi	Deposition	Doug Soderland	
14) Phillipedes v. Bernard	Deposition	Mark Thorsrud	01-2-09974-4SEA
15) Cook v. Deacon	Arbitration	John Matthews	
16) Christian v. Jorgensen	Deposition	Scott Breneman	01-2-03884-2SEA
17) Phillipedes v. Bernard	Trial	Mark Thorsrud	01-2-09974-4SEA
18) Yost v. Peterson	Deposition	Phil Lynch	US Attorney's Office
19) Morris v. Kruhlak	Deposition	Steve Moriarty	01-2-03642-2
20) Morris v. Kruhlak	Arbitration	Steve Moriarty	01-2-03642-2
21) McKibbin v. Wills	Trial	Sarah Watson-Lee	01-2-07404-6PIER
22) Warning v. Lumbert v. U. S	Deposition	Phil Lynch	C01-5411FDEB, USDC
23) State v. Phillips	Hearing	Jennifer Forbes	02-1-00218-6KITSA
24) Campbell v. Joffe	Arbitration	Dan Albertson	98-2-11449-1PIER
25) State v. Phillips	Trial	Jennifer Forbes	02-1-00218-6KITSA
26) Roath v. Kiefer	Deposition	John Bowman	02-00478-0 SPO
27) Roath v. Kiefer	Trial	John Bowman	02-00478-0 SPO

Year 2003:

1) Otto/Seyler v. Cityb of Lakewood et al	Deposition	Whitney Smith	
2) Parker v. Randles Sand & Gravel	Deposition	Phil Grennan	02-2-05709-3 PIER
3) Brekke v. Jefferson county Fire	Deposition	Charles Leitch	01-2-00371-1
4) Larson v. Everett Power Sports	Deposition	Marty Fox	01-2-08279-3 SNO
5) Terry v. Avery	Deposition	Tom Bierlein	02-2-02486-6 KNT
6) Daly v. Singh	Deposition	Bruce Lamb	
7) Asfaw v. O'Neil	Trial	Jim Purcell	
8) Fjeld v. Platt	Deposition	Vonda Sargent	01-22-27722-7KNT
9) Nolan v. Abendroth	Deposition	Gus Cifelli	
10) Trishcuck v. Taylor	Deposition	Liz Kim	
11) Jones v. Keller	Deposition	Geoff Swindler	
12) Zhu v. BLC Trucking	Deposition	Jeff Johnson	
13) Fjeld v. Platt	Trial	Vonda Sargent	01-2-27722-7KNT
14) Hipkins v. Connell	Deposition	Anthony Russo	
15) Adams v. Sigfrid	Deposition	Dave Wiecks	
16) Mumpers v. WSDOT	Deposition	Mark Jobson	
17) Katenbrink v. Peters	Trial	Greg Wall	02-2-00034-6 JEFF
18) Zhu v. BLC Trucking	Trial	Jeff Johnson	02-2-07882-1 PIER
19) Hopkins v. Phillipson	Deposition	Karen Bamberger	02-2-18019-1 SEA
20) Maurice v. Ratsamee	Deposition	Hal Field	02-2-03445-4KNT
21) Werner v. Frieling	Deposition	James Owen	02-2-13878-6
22) Sauerzopf v. Fahlen	Deposition	Brett Weiburg	
23) Maloney v. Wolfson	Deposition	Bruce Lamb	02-2-09163-6 SEA

24) Nieman v. Overland	Deposition	Hal Field	02-2-08628-2
25) Foster v. Hall	Deposition	Brett Purtzer	02-2-09789-3
26) Sanford v. First Assembly	Deposition	Phil Welchman	

2004 Cases:

1) Low & Mattson v. Singh	Trial	Aaron Dean	02-2-17745-0 SEA
2) Welela v. Parker & Shoreline	Deposition	David Hennings	02-2-30612 SEA
3) Adams v. Sigfrid	Trial	Dave Wieck	02-08890-2 SEA
4) Mumper v. WSDOT	Trial	Mark Jobson	00-2-1547-6
5) Snow v. Island County	Deposition	Guy Bogdanovich	
6) St. Clair v. King County	Trial	Linda Gallagher	02-2-14769-1 SEA
7) Jorga v. Dodd	Deposition	Tom Crowell	03-2-16907-2 SEA
8) Reich v. Brotherston	Trial	Hal Field	02-2-04435-2 KNT
9) Jorga v. Dodd	Trial	Tom Crowell	03-2-16907-2 SEA
10) Fraumeni v. Caskey M.G. Logging	Deposition	George Mix	03-2-00191-8
11) Train v. Douglas County	Deposition	William Bailey	01-2-01199-1
12) Larson v. Everett Motorsports	Trial	Marty Fox	01-2-08279-3
13) Cala v. Xerox	Deposition	Dennis Woods	03-2-01114-2KNT
14) Yu v. Hooks & K.C. Metro	Deposition	Linda Gallagher	
15) Breed v. Gardner, et al	Deposition	Michael Olver	
16) Kennedy v. Trybuch	Deposition	Doug Soderland	02-2-11560-6
17) Napier v. Farmer's Insurance	Arbitration	John Bowman	Claim #1001527736
18) Garza v. Sanchez	Deposition	Ron Skala	02-2-00233-5
19) Gaddis v. Hoke	Deposition	Thomas O'Connell	03-2-00894-6
20) Garza v. Sanchez	Arbitration	Ron Skala	02-2-00233-5
21) Lurie v. Goodwin	Deposition	Greg Wallace	03-2-03209-3 SEA
22) Leggett v. N. Kitsap Co. School	Trial	Chris Tavares	02-2-01527-3
23) Robertson v. Tacoma Schools	Deposition	Mark O'Donnell	02-2-10144-1
24) Wilcock v. Werner	Deposition	Peter Brown	03-2-07381-4KNT
25) Carver v. Hanoch	Deposition	Gordon Woodley	03-2-08180-9 KNT
26) Nicholls v. Andrus Transport.	Deposition	David Bierman	01-2-19911-1 KNT
27) Billingsley v. Whit-Log	Deposition	Gus Cifelli	02-2-29161 SEA
28) Forsman v. Bitterling	Trial	Tammy Williams	03-2-09347-1 PIER
29) Cates v. Jackson	Arbitration	Richard Lockner	02-2-11300-7

2005 Cases:

1) Rader v. Fogelquist	Deposition	Bob Reinhard	
2) Kolb v. City of Seattle	Deposition	Barbara Frost	03-2-36400-2 SEA
3) Tran v. Khuu & Hopkins	Trial	Tom Crowell	03-2-22577-1SEA
4) Sparks v. B & G Farms	Deposition	Mark Thorsrud	03-2-00969-1
5) Fisher v. Parnell	Deposition	Eric Newman	02-2-07303-2
6) Lien v. Taylor	Trial	Dave Wieck	Y302069

7) Wahlquist v. Wallace & Van Zee	Deposition	John Bowman	
8) Fendell v. Ruan & Notari	Deposition	Bob Mannheimer	04-2-00429-2KNT
9) Apodaca v. Yakima Co.	Deposition	Guy Bogdanovich	04-2-00065-1
10) Matt v. Lautenbach	Arbitration	Michael Jaeger	04-2-29813-0KNT
11) Hatton v. O'Keefe	Deposition	William Spencer	
12) Nelson v. Roehr & King Co.	Deposition	John Cobb	03-2-32913-4 SEA
13) Sheik v. Bain	Deposition	Doug Soderland	04-2-03188 SEA
14) McSorley v. Brock	Deposition	Mike Taylor	04-2-33000-9 KNT
15) Taddeo Smith v. Starcraft	Deposition	Tom Merrick	04-2-11433-1SEA
16) Murcray v. United States	Deposition	Robert Brouillard	C04-0965Z
17) Spencer v. Moore	Deposition	Stephen Moriarty	04-2-10753-4
18) Kolb v. City of Seattle	Arbitration	Barbara Frost	03-2-36400-2 SEA
19) Roberts v. Seidel	Deposition	Ron Skala	04-2-00511-3
20) Gaston v. Jesse	Deposition	Mike Olver	
21) Gaston v. Jesse	Trial Video	Mike Olver	
22) Miller v. Grays Harbor Co.	Deposition	Mike Patterson	
23) Wahlquist v. Van Zee	Trial	John Bowman	04-2-00691-5
24) Bitzer v. Johnson, et al	Deposition	Tim Malarchick	04-2-07873-9
25) Meyer v. Jackson & Walla Walla	Deposition	Stephen Nordstrom	04-2-00023-9
26) Stuart v. Swinerton	Deposition	Bill Spencer	04-2-16611=0 KNT
27) Tannich v. City of Bremerton	Deposition	David Horton	02-2-02169-9
28) McSorley v. Brock	Arbitration	Mike Howard	04-2-33000-9 KNT
29) Bell-Taylor v. Culp & Knight	Deposition	Jeff Johnson	04-2-20781-9 SEA
30) Comeau v. King County	Mediation	Kerry Keefe	04-2-06625-1
31) Brooks v. Washougal	Deposition	Don Law	03-2-03935-1

2006 Cases:

1) Aultman v. Blystone	Deposition	Chris Knapp	
2) Clark v. Solway	Deposition	Lon Weatherly	
3) Harris v. City of Tacoma	Deposition	Steve Block	
4) Ushakova v. Jensen	Deposition	Dan Kyler	05-2-13243-0
5) Lom v. Smith	Arbitration	Marie Dolack	05-2-08600-4
6) Berger v. Peterson	Trail Deposition	Novelle Ballard	
7) Shantley v. Metro	Deposition	Linda Gallagher	05-2-02700-2 SEA
8) Wood v. Gile & Jerilin	Deposition	Tammy Williams	05-2-10326-0
9) Aultman v. Blystone	Trial	Chris Knapp	4-2-09306-4 SNO
10) Tannich v. City of Bremerton	Trial	Dave Horton	02-2-02169-9
11) Brooks v. Washougal	2 nd Deposition	Don Law	03-2-03935-1
12) Tubar v. Clift & City of Kent	Deposition	Steve Thorsrud	C05-1154JCC
13) Abdi v. Farah	Deposition	Cydney Webster	
14) Gaddis v. Hoke	Trial	Thomas O'Connell	03-2-00894-6
15) Roberts v. Seidel	Arbitration	Ron Skala	04-2-00511-3
16) Cully v. Langlow	Deposition	Bill Waetcher	
17) McGowan v. Allen	Trial	Michael Watkins	05-08528-8 SEA
18) Hocker v. Jaffee	Arbitration	Robert Mannheimer	

19) Sawtelle v. King County	Arbitration	Kerry Keefe	05-2-41027-2 SEA
20) Cavazzini v. City of Chelan	Deposition	Chuck Zimmerman	04-2-08018-3
21) Werner v. Frieling	Deposition	James Owen	
22) Antosz v. Northshore Schools	Arbitration	Brian Waters	
23) Wise v. Pilchuck Const,	Trial	Tracy Antley-Olander	04-2-00320-4

Exhibit “B”

SPOKANE PSYCHIATRY and PSYCHOLOGY, P.S.

Diplomate American Board
Psychiatry and Neurology

J. Cliff Green, M.D.

Sacred Heart Doctors Building
105 West Eighth Avenue, Suite 408
Spokane, Washington 99204-2318

Phone: (509) 455-8660
Fax: (509) 455-8662

Diplomate in Clinical Psychology
American Board of Professional Psychology

Duane Green, Ph.D., ABPP

**NEUROPSYCHOLOGICAL EVALUATION
ON
THOMAS WAITE**

IDENTIFICATION:

Mr. Thomas Waite, age 20, was seen for a forensic neuropsychological evaluation at the request of his attorney, Mr. Stephen L. Nordstrom. The assessment was requested to assess any neurocognitive deficits Mr. Waite has suffered as a result of injuries from a motor vehicle accident on August 21, 2003.

STATEMENT OF NON-CONFIDENTIALITY/EXPLANATION OF PROCEDURES:

Mr. Waite was informed, both verbally and in writing, about the non-confidential nature of the evaluation. The procedures that were to occur were explained to him. He was aware the examination was being audio taped and provided authorization for that to occur.

SOURCES OF INFORMATION:

I had available for review records that were provided by Mr. Nordstrom. They were from the following sources:

1. Northwest MedStar.
2. American Medical Response.
3. Rancho Los Amigos Rehab Center.
4. William Boelter, MD.
5. Cynthia Hahn, MD.
6. Associated Surgeons.
7. Schaefer Ambulance.
8. Deaconess Medical Center.
9. Collision report of 08/21/03.
10. School grades from Fullerton Union High School and Fullerton College.

Mr. Waite was seen for a comprehensive neuropsychological assessment on May 18 and May 20, 2004. At the time of that assessment, approximately 55 minutes was spent in a clinical interview. In addition, on those two dates he was administered the following psychological and neuropsychological tests: Wechsler Adult Intelligence Scale-III, Wechsler Memory Scale-III, Halstead-Reitan Battery (Category Test, Speech Sounds, Seashore Rhythm Test, Trail Making Test, Aphasia Screening Exam, Lateral Dominance Exam, Manual Finger Tapping Test, Tactual Performance Test, Fingertip Number Writing, Tactile Form Recognition, Tactile Finger Recognition, Sensory Perceptual Exam, Strength of Grip, Name Writing), Wide Range

Thomas Waite
Neuropsychological Report
May 20, 2004
Duane Green, Ph.D., ABPP
Page 2 of 14

Achievement Test-Revision Three, Minnesota Multiphasic Personality Inventory-Second Edition (MMPI-2), Symbol Digit Modalities Test, Stroop Color Word Test, California Verbal Learning Test-II, Paced Auditory Serial Addition Test, Boston Naming Test, Grooved Pegboard Test, Victoria Symptom Validity Test, Beck Anxiety Inventory, and Beck Depression Inventory-II.

PAST PERSONAL HISTORY:

Mr. Waite is adopted. He has a brother two years older who is also adopted but from a different family. He grew up with his older brother and both of his adoptive parents. His father is an elementary school teacher. His mother has worked primarily helping in his grandfather's engineering business. Mr. Waite reported positive, supportive relationships with both of his parents. He indicated his relationship with his brother is positive with the "usual" brotherly disagreements over the years. He did not relate any specific difficulties or traumas during childhood or adolescence. He noted he "has always known" that he was adopted. He has no knowledge of his biological background. However, just recently his parents did receive a letter from his biological father's wife, inquiring about him.

EDUCATIONAL HISTORY:

He attended Fullerton High School, graduating in 2001. Thomas noted that during school he was "easily distracted" and stated that he did "not apply himself." From the second semester of his sophomore year until the second semester of his senior year, he did not attend classes at the high school and worked as a "contract" student. He returned the second semester of his senior year and graduated on time. He noted that he was never diagnosed with any type of learning disability and that the reason he had trouble in school was that when at home, it was hard for him to get his homework done. He worked during high school and would pick up his home work once a week. He noted he received mostly C's but some B's and some D's in high school. He did "get an F in Spanish."

After high school, he took junior college classes for one semester. After that, he worked because he knew he would be going on a mission for his church. He has had no formal education since that time.

WORK HISTORY:

As noted, he worked during high school and afterward. He worked for his uncle and grandfather in their engineering firm. He also has worked in a machine shop. At the time of his injury, he was on a mission for his church. In February 2004, he returned to do mission work and is currently doing that full time.

He is uncertain what he will do once he finishes his missionary work in May 2005. He indicated he would like to pursue a career where he can "help people." He plans to return to school and finish his "general requirements" and then decide what to pursue after that.

Thomas Waite
Neuropsychological Report
May 20, 2004
Duane Green, Ph.D., ABPP
Page 3 of 14

MEDICAL HISTORY:

He reported no history of significant medical problems during childhood or adolescence except for problems with asthma. He is aware of no other major medical problems at this time except those related to his 2003 accident that are described below.

MEDICATIONS:

Currently, he is on trazodone 25 mg in the morning and 50 mg at bedtime. He also takes medications for his asthma, including Q-Var and albuterol as needed.

NEUROPSYCHOLOGICAL HISTORY:

As noted, Thomas is adopted and nothing is known about his biological family. Prior to his 2003 accident, skull fracture and closed-head injury, he had suffered no loss of consciousness or other events of neuropsychological significance.

He is right handed. He has a total loss of smell since his 2003 accident. He has diminished taste. He has diminished hearing on the left side with tinnitus primarily on the left. Thomas reported no visual changes. There was a loss of equilibrium, but he feels that has been improving. He reported a decrease in strength, primarily secondary to deconditioning.

As described below, Thomas had a severe closed-head injury at the time of the 2003 accident. He has no recall of the accident. There is both anterograde and retrograde amnesia. His last recall before the accident itself is approximately a week prior to the event. In fact, he does not even recall his birthday, which occurred in the week prior to being injured. His next recall was of waking up in a wheelchair at Rancho Los Amigos Rehabilitation Center sometime between two and three weeks after the accident.

LEGAL HISTORY:

He has never been charged with or arrested for any criminal activity.

ALCOHOL/DRUG HISTORY:

He does not use alcohol, drugs, tobacco or caffeine products.

PSYCHOLOGICAL HISTORY:

He has never been a psychiatric inpatient. He has never been an outpatient in psychiatric or psychological treatment except for the treatment received while he was an inpatient in rehabilitation following his accident.

Thomas Waite
 Neuropsychological Report
 May 20, 2004
 Duane Green, Ph.D., ABPP
 Page 4 of 14

Thomas did report that he has always had a problem with "nervousness." Specifically, he said at times, if he is around strangers or a "pretty girl," and it is time to eat, he will get anxious and sometimes have to excuse himself and go into the restroom because he is nauseated. On occasion, he will even vomit. He reported no other problems of a psychological nature.

BRIEF SUMMARY OF THE ACCIDENT:

Please see the records review below for details. As indicated, Thomas was unrestrained and flew out the back of a pickup and landed on his head after it was struck by another vehicle. He had to be intubated. He suffered a ventricle midline occipital skull fracture and a frontal hemorrhage bilaterally. There was also subarachnoid hemorrhage outlining the brain stem. With his very severe brain injury and severe edema, he had bilateral frontal cerebral contusions. He was demonstrating frontal deficits of agitation, impulsivity, and general bilateral cortical deficits with severe impairment of attention and memory abilities. He had mild left hemiparesis.

SUMMARY OF RECORDS REVIEWED:

- 08/21/03 An American Medical Response note indicated that Thomas was unconscious secondary to a motor vehicle accident. The report was that he was riding in the back of a pickup with a canopy. He reportedly was immediately unconscious with irregular respirations. He had a laceration of the back of his head. Upon arrival, he was on his left side. He was intubated.
- 08/21/03 Alexander MacKay, MD, indicated that he saw Thomas in the emergency room. Thomas had been thrown out of the back of a pickup truck. He had been intubated and had been given long-acting paralytic agent. His pupils reacted somewhat. There was a left frontal laceration. It was noted that he did have ventricle midline occipital skull fracture and a frontal hemorrhage bilaterally. There was some subarachnoid hemorrhage that was outlining the brain stem. He noted that Thomas needed to be ventilated, then maintained in the ICU.
- 08/21/03 M. Shane McNevin, MD, saw Thomas in consultation, where he was to follow him for his grade II intraparenchymal splenic hematoma.
- 08/21/03 Michael Jemmett, MD, noted in a Deaconess Medical Center Emergency Admission Report that Thomas was unrestrained and flew out of the back of a pickup and landed on his head with considerable force. Emergency personnel found him apneic and unresponsive. He was intubated. He began making unpurposeful movements. He became agitated. It was noted he had a three-centimeter laceration parallel to his left eyebrow laterally, and lacerations on the back of his scalp. He did not respond to any commands and would not open his

Thomas Waite
 Neuropsychological Report
 May 20, 2004
 Duane Green, Ph.D., ABPP
 Page 5 of 14

- eyes. Glasgow Coma Scale was estimated at 7. CT scan demonstrated subarachnoid bleed diffusely, as well as an occipital fracture. There were small bifrontal parenchymal bleeds. There was a small contusion of the spleen. He was transferred, in guarded condition, to ICU, for further care.
- 08/21/03 A Deaconess Medical Center Emergency Department Report noted in the neuropsychological assessment that the Glasgow Coma Scales from 14:52 through 16:45 hours were all assessed to be a score of 3.
- 08/22/03 Cynthia Hahn, MD, indicated in an operative report that she placed her right frontal Camino ICP monitor secondary to Thomas suffering a severe closed head injury. CT scan showed increasing cerebral contusions bifrontal, right greater than left with increasing mass effect on ventricle with the diminished size of ventricles in cisterns. It was felt that he required ICP monitor placement for measurement of intracranial pressures.
- 09/01/03 Vivian Moise, MD, noted in a consultation report that she was seeing Thomas for a rehabilitation evaluation. He apparently had landed on his head after being ejected from the truck. He was found by emergency personnel to be apneic and unresponsive. He required intubation at the scene. Dr. Moise noted that Thomas was completely disoriented to place. She noted he had near-zero sustained attention and zero short-term memory. She opined he had a very severe brain injury associated with severe brain edema, bilateral frontal cerebral contusions. He was demonstrating frontal deficit of agitation, impulsivity, and general bilateral cortical deficits of severe impairment of attention and memory abilities. He had mild left hemiparesis, but strengths included ability to follow commands well and already having the presence of immediate memory and very good preserved language and speech abilities. She opined his prognosis for making at least a 90% recovery back to normal functioning was excellent. She opined that he will have enough cognitive mobility skills to be able to live alone, but that he will have some life-long residual deficits with higher level cognitive skills, executive functions, and may have some long-term deficits with having less-than-normal sustained attention and short-term memory.
- 09/10/03 A Northwest MedStar record indicates that Thomas was in the back of a pickup truck with a canopy when it was struck from behind. He was ejected from the back and struck the ground with his head. He was unresponsive at the scene. He was intubated. He was found to have a nondisplaced occipital fracture and small bifrontal bleed, as well as probable aspiration pneumonia. He was being transferred for long-term rehabilitation care near his home in California.

Thomas Waite
 Neuropsychological Report
 May 20, 2004
 Duane Green, Ph.D., ABPP
 Page 6 of 14

Neurological assessment indicated poor short-term memory. He was unable to provide the reason for the visit. He stated he had been in the hospital for three days. He followed commands inconsistently.

- 09/10/03 An American Medical Response ambulance note indicated that Mr. Waite was being transferred from Deaconess to MedStar in order to be transferred to California for continued care. He ambulated to the stretcher. He was appropriate only half the time secondary to head injury.
- 09/10/03 A communication disorders initial evaluation indicated that there were significant cognitive deficits. Repetition was poor. He could not write secondary to agitation. He was barely able to express basic needs. A Rancho Level of Cognitive Functions was at a 4 or 5. He was awake and alert at times, and at other times, due to agitation, was sedated. He was inconsistently oriented to person, and not oriented to any other aspect. He had fleeting attention and maximum sustained attention of three minutes. Usually, he made little sense when verbalizing. It was usually jargon and unrelated statements. He was able to follow simple one to two-step commands within limits of his attention.
- 09/10/03 Jeffrey Elmer, MD, noted in a Deaconess Medical Center Discharge Summary that Thomas was being discharged with a diagnosis of a closed-head injury involving bifrontal and temporal lobe contusions with a left posterior fossa epidural hematoma. He had an acute agitated delirium. He was being transported closer to home for rehabilitation on a brain rehabilitation unit. He had an occipital fracture, as well as aspiration pneumonia secondary to loss of consciousness. He had a grade II splenic hematoma and a possible ligamentous injury at C5-6.
- 09/11/03 William Boelter, MD, noted in an Admission History and Physical for Rancho Los Amigos National Rehabilitation Center that Thomas had been riding in a pickup truck when both the canopy and Thomas were ejected from the truck. In the emergency room, imaging studies showed both bifrontal and bitemporal lobe contusions and a posterior fossa left-sided epidural hematoma. He required a ventriculostomy line for intracranial pressure monitoring. He had cerebral edema. He required ventilator support for approximately eight days. He opened his eyes beginning approximately six days following the injury. He had an occipital skull fracture and a grade II splenic hematoma. He was extubated on 08/31/03, 10 days after his injury. He had prolonged periods of agitated delirium. A jejunostomy tube was placed by Radiology. He continued to be agitated and yanked it out on 09/10/03, and it was replaced. According to his mother, developmental

Thomas Waite
 Neuropsychological Report
 May 20, 2004
 Duane Green, Ph.D., ABPP
 Page 7 of 14

milestones had been normal. Academic history indicated he graduated from high school but did not like it. He had attended some classes at junior college. Exam indicated he was initially deeply sedated and not arousable. He later awoke and became agitated and confused. He was oriented to self, but confused and agitated. Assessment was of a traumatic brain injury with subarachnoid hemorrhage, bilateral frontal and bilateral temporal contusions and left posterior fossa epidural; occipital skull fracture; status post aspiration pneumonia; confused and agitated, at times severe; right spasticity more than left, and lower extremities; C5-6 possible ligamentous laxity and hard cervical collar; status post splenic trauma, stage II hematoma.

- 09/12/03 A physical therapy evaluation indicated that Thomas was able to ambulate with hand-held assistance or arm-over assistance. He tended to posture forward. There was excessive flexion in his knees and ankles. He had poor balance. Initial focus was to help with bed and wheelchair transfers.
- 09/14/03 Thomas had pulled out his IV heparin lock during the night.
- 09/15/03 A nursing note indicated his agitation was much improved. He continued on BuSpar, Risperdal, and trazodone.
- 09/16/03 Nursing notes indicate he is less agitated but still confused.
- 09/16/03 An audiologic evaluation found hearing sensitivity within normal limits for the right, but an impairment for the left. An ENT consultation was recommended.
- 09/18/03 Thomas had some agitation in the morning. He still had some confusion, as well.
- 09/25/03 A conference that Thomas was displaying mood swings with short temper and decreased patience, the decreased patience consistent with his frontal lobe injury.
- 09/29/03 His weekend pass reportedly went well, but with some agitations.
- 09/30/03 A psychology note indicated an abbreviated neuropsychological evaluation was completed to establish a baseline of cognitive functioning.
- 10/01/03 A communication disorders discharge report noted that Thomas remained concrete at times. The FIM discharge was 5 for expression. He had made strong gains since admission and was no longer agitated or aggressive. He was oriented, but still occasionally needed mini-cues for date. He still had deficits in language

Thomas Waite
 Neuropsychological Report
 May 20, 2004
 Duane Green, Ph.D., ABPP
 Page 8 of 14

characterized by word finding, thought organization, and processing problems. His memory also needed continued help. Overall, he still had mild to moderate cognitive deficits, which impacted his language skills. Supervision in the community was recommended.

- 10/02/03 Dr. Boelter indicated that the CT scan findings showed encephalomalacia to frontal lobes with some atrophic changes, right more than left, especially in the inferior frontal lobes above the orbital roof. He assessed the evidence of sequelae and atrophy of significance of brain injury. The plan was to discharge him home.
- 10/02/03 A physical therapy discharge note indicated that precautions for discharge were recommended supervision in the community. He continued to have improved word finding but poor memory. It was noted that he still required supervision in the community for safety.
- 10/02/03 An occupational therapy discharge note indicated Thomas required occasional verbal cues to initiate self-care tasks. It was felt that he required supervision in the community for impaired safety judgment and impaired short-term memory. He would require supervision and verbal cues during simple meal preparation. It was felt he was not able to drive for one year post loss of consciousness and needed to have driving evaluation prior to retaking the DMV driver's test. He demonstrated no recall of having been informed regarding not driving secondary to impaired short-term memory.
- 10/03/03 William Boelter, MD, noted in a discharge summary that at the time of discharge, Thomas had good motor strength and unilateral deficiency. There continued to be a mild increase in deep tendon reflexes at the left ankle. He had fair tandem walking with some loss of balance. At the time of discharge, he was still impulsive at times and showed concrete thinking at times. Executive functions had improved, but he remained inconsistent in his ability to plan or make decisions and follow through on task and monitor his own performance. He still showed some impulsivity in verbal and cognitive tasks, and still showed some confusion. He still had some temporal problems and became upset with certain things. Recommendations were for reevaluation in a month to assess possible need for ongoing speech therapy. Regarding physical therapy, he was assessed as a higher-level traumatic brain injury in terms of physical status with poor balance, plantar flexion weakness and cognitive limitations. On final evaluation, he was felt to have met or exceeded all physical therapy goals, but to require supervision in the community for safety. In terms of occupational therapy, he and his family were instructed that he would not be able to drive for one year following his brain

32

Thomas Waite
 Neuropsychological Report
 May 20, 2004
 Duane Green, Ph.D., ABPP
 Page 9 of 14

injury, and that he should have a driving evaluation prior to retaking the driver's test. It was felt he would require supervision in the community for impaired safety judgment and short-term memory. He needed supervision for verbal cues during simple meal preparation. Dr. Boelter noted at the time of discharge he was on BuSpar, Dilantin, Risperdal, and trazodone. It was recommended he not return to his missionary activity for at least six months.

- 01/06/04 William Boelter, MD, indicated in a driver medical evaluation that Thomas has occasional dizziness and decreased hearing in his left ear. He has no seizures. He is improved from his prior evaluation. On 9/30/03 he had mild attention problems, memory problems, and abstract reasoning problems, as well as problems with processing, organization, and multitasking, as well as visual motor difficulties. He indicated that trazodone does not make Thomas drowsy. Dr. Boelter implied that he was uncertain if Thomas's condition affected safe driving. He advised against Thomas driving at this time, and recommended a behind-the-wheel evaluation.
- 01/07/04 On what appears to be an impairment rating questionnaire, Dr. Boelter indicated that Thomas has had dramatic improvement in recovery with mild residual changes. He rated his memory loss as mild, his depression as none, his diminished judgment as mild, his impaired attention as mild, his impaired language skills as none, his impaired visual spatial skills as mild, his impulsive behavior as none, his problem-solving deficits as uncertain, and his level of awareness of disability as not problematic. His overall degree of impairment was rated as mild. He noted he "may well be able to drive a motor vehicle safely, but should, for his sake and the sake of others, have an evaluation behind the wheel with a trained OT post TBI evaluation."
- 03/16/04 Transcript of Student Progress from Fullerton Union High School indicates a cumulative grade point average of 3.40. He graduated in the fall of 2000-2001. Thomas appears to have taken numerous college prep courses. In the ninth and tenth grades, he did have some D's and one F. However, in grades 11 and 12, his grades were primarily A's and B's.
- 03/16/04 A Fullerton College transcript indicates in spring 2002, grades were B in Basic Drawing and a C in American Government. His cumulative GPA was 2.5.

Thomas Waite
 Neuropsychological Report
 May 20, 2004
 Duane Green, Ph.D., ABPP
 Page 10 of 14

MR. WAITE'S DESCRIPTION OF HIS CURRENT DIFFICULTIES:

1. "I've had to relearn things:" He stated that he felt he does not have common sense like he had before. He does not see things and has to learn how to figure them out again. He also has had to learn how to handle stress again.
2. It is hard to know what people are expressing. Oftentimes, when people say things, he feels like he does not get the meaning of what they are saying.
3. He had to mature again. He has needed to learn how to express himself all over again. He has had to learn again how to react to things.
4. He does not think he is as funny as he used to be.
5. Physical changes: He has a loss of hearing on the left side. His sense of smell is "gone." He has diminished taste. His sleep is problematic if he does not take the trazodone.
6. Cognitive problems: He has problems with his short-term memory. He also has decreased verbal attention. However, he thinks they are getting better.

THOMAS'S DESCRIPTION OF HIS TYPICAL DAY:

Since February 2004, when he returned to complete his mission, he is usually up at 6:30 a.m. He will exercise and shower. From 7:45 to 8:45 a.m., he studies. He will have breakfast and then study with his missionary companion until 10:15. The rest of the day is spent doing mission work. He will have dinner and then spend another two hours in the evening doing mission work. As noted, he sleeps well if he takes his trazodone. If he does not, he will lie awake for several hours.

TEST RESULTS:

ATTITUDE TOWARDS TESTING/VALIDITY:

Thomas approached the tests with interest, animation and humor. He appeared to be exerting full effort. His performance on validity testing was within normal limits. The current results are considered reliable and valid estimates of his neurocognitive functions in the areas measured.

INTELLECTUAL FUNCTIONS:

Thomas was administered the Wechsler Adult Intelligence Scale-III. He achieved a verbal IQ in the Average range, performance IQ in the Average range, full-scale IQ in the Average range.

Thomas Waite
Neuropsychological Report
May 20, 2004
Duane Green, Ph.D., ABPP
Page 11 of 14

There was no significant difference in his performances in the verbal and the perceptual-motor realms, and relatively little variability within each intellectual domain.

His verbal abilities were essentially all within the average to slightly above-average ranges. The exception to this was in terms of his performance on orally presented math problems. Here, he scored in the below-average range. However, Thomas related that this has been a longstanding problem for him. In most other areas, he was average or slightly above. For example, his general finding of accumulated information was average. He was slightly above average in terms of his language usage and vocabulary, his abstract reasoning, and his social judgment and comprehension.

His scores were also average or above in most of the perceptual motor intellectual measures, as well. This was true in terms of measures of his awareness of fine visual detail, his temporal sequencing and social stimuli, his understanding of part-whole relationships, and his performance on complex visual-spatial problem-solving and manipulation. The only area of relative difficulty was his low-average performance on a task involving complex visual-spatial problem-solving, learning and motor persistence. Overall, the pattern of results suggests equal verbal and visual-spatial intellectual abilities. The results do not indicate any significant loss of intellectual abilities.

ACADEMIC ABILITIES:

On the Wide Range Achievement Test-Revision Three, Thomas achieved the following estimated grade equivalents: Reading-post high school, Spelling-high school, and Arithmetic-fifth grade. These scores are equivalent to the following standard scores: 103, 99, and 75, respectively. The arithmetic performance is significantly lower than expected given his high school education. However, it likely represents longstanding difficulties and not a recent loss of academic skill.

GENERAL NEUROPSYCHOLOGICAL FUNCTIONING:

On the tests most sensitive to generalized integrity of the brain, Thomas earned a Halstead impairment index of 0.1. This indicates that only 10% of the component tests were within the brain-damage range. On the general neuropsychological deficit scale, an index of overall clinical severity, he earned a score of 12. Overall, these scores indicate no generalized impairment of his brain functions.

Regarding his general adaptive abilities, Thomas demonstrated no significant impairment in most areas. He had normal performances in terms of his abstract reasoning and logical analysis, his complex psychomotor problem-solving, and his simple and complex flexibility of thought. He also showed normal performances for both simple and complex incidental memory. However,

Thomas Waite
 Neuropsychological Report
 May 20, 2004
 Duane Green, Ph.D., ABPP
 Page 12 of 14

his performances on measures of attention and concentration were variable, with his performance on one test involving auditory material being within normal limits and another being impaired.

SPECIFIC NEUROPSYCHOLOGICAL FUNCTIONING:

Regarding neuropsychological functioning specific to each cerebral hemisphere, there was little evidence of lateralization. This was evidenced by a left neuropsychological scale score of only 2 and a right neuropsychological deficit scale score of only 6. The indications of some slight left hemisphere dysfunction included his longstanding difficulties with dyscalculia. There is also some evidence of mild decrease in speed of processing information. He did not show any signs of dysnomia, dyslexia, visual number or letter dysgnosia, ideomotor dyspraxia, dysgraphia, or left-right confusion. Thomas did not show significant difficulties that would indicate lateralization to the right hemisphere. He had no visual constructional difficulties and displayed adequate ability to copy and reproduce simple geometric designs. There was no impairment in terms of immediate or delayed figural recall.

SENSORY MOTOR FUNCTIONING:

There were mild sensory motor deficits bilaterally. As noted, he suffers from a peripheral hearing loss on the left. This resulted in four errors upon bilateral simultaneous auditory stimulation. He had less than predicted strength in his nondominant left upper extremity. He had less than predicted superiority in dominant right-hand performance on a complex psychomotor problem-solving task.

EXECUTIVE FUNCTIONS:

As noted, Thomas appeared to be exerting reasonable effort throughout the testing. At times, he was able to self-correct his errors and seemed to be monitoring his performance adequately. However, at times he appeared mildly impulsive and tended to work at an overly rapid pace, sometimes having difficulty slowing down and pacing himself when the task became more difficult.

Formal psychological testing indicates that based on his self-report, he does not see himself as particularly anxious or depressed. His scores on the Beck Anxiety Inventory, which is a self-report of anxiety symptoms within the last week, and on the Beck Depression Inventory-II, which is a self-report of depressive symptoms within the past two weeks, were within normal limits.

However, on a more objective measure, the Minnesota Multiphasic Personality Inventory-2, Thomas does appear to have significant problems with depression. His MMPI-2 was valid and reflects an individual who struggles with depression that is manifested primarily by tension, anxiety, and accompanying feelings of inadequacy and feelings of low self-worth. Individuals with this profile typically have accompanying physical symptoms that involve sleep difficulties

Thomas Waite
 Neuropsychological Report
 May 20, 2004
 Duane Green, Ph.D., ABPP
 Page 13 of 14

and diminished appetite and energy levels. Their depression can affect their cognitive functions with difficulties with attention and concentration. His responses also suggest difficulties in his interpersonal relationships. While on the surface he may appear outgoing, underneath he appears to be rather inhibited and uncomfortable in social situations. His MMPI-2 profile is typically associated with a diagnosis of a depressive disorder, either involving dysthymia or a major depression. If not contraindicated medically, medications are often of benefit. In addition, psychotherapy is beneficial for individuals with these test results.

DIAGNOSES:

- Axis I: 294.9 Cognitive Disorder, Not Otherwise Specified, With Decreased Speed of Processing Information, Diminished Attention and Concentration, and Variable Memory Functions.
- 311 Depressive Disorder, Not Otherwise Specified, Secondary To Closed-Head Injury and Residuals.
- Axis II: None.
- Axis III: Deferred to physicians; status post severe brain injury and skull fracture.
- Axis IV: Impact of residuals of the closed-head injury on intra- and interpersonal aspects of life.
- Axis V: GAF = 60-65.

IMPLICATIONS AND RECOMMENDATIONS:

The neuropsychological results indicate mild generalized and specific neuropsychological dysfunction, as well as sensory motor deficits. The pattern of results is consistent with what one would expect from a recovering closed-head injury. Given the severity of the trauma, the length of his amnesia, etc., it is actually remarkable there are not more severe residual neuropsychological and psychological deficits. Fortunately, Thomas's immediate adaptive functions are not severely impaired. Many areas of higher cognitive function are intact, including his abstract reasoning, his logical analysis, his complex psychomotor problem-solving, and his flexibility of thought. He does have some residual difficulties in terms of short-term and delayed verbal memory. His visual memory appears relatively intact. He also evidenced variable attention and concentration performances, sometimes performing adequately and sometimes having difficulty. Thomas also demonstrated relative difficulty in terms of his overall

Thomas Waite
Neuropsychological Report
May 20, 2004
Duane Green, Ph.D., ABPP
Page 14 of 14

speed of processing information. This, coupled with his verbal memory problems, could account for his subjective complaints of having difficulty in his missionary work of understanding what people are saying to him. Emotionally, Thomas is depressed and is struggling with feelings of inadequacy and low self-esteem. He tends to cover this up with humor and joking, but underneath is hurting psychologically.

Recommendations include the need for psychiatric evaluation and follow-up of his medications for his depression. In addition, Thomas needs on-going psychotherapy with a doctoral-level therapist well-versed in treating individuals with residuals of closed-head injuries and brain damage. Thomas also needs to be involved in career planning and vocational services to coordinate his long-term plans with his strengths and relative weaknesses so as to not heighten his struggles with the feelings of inadequacy and poor self-esteem.

OPINIONS:

1. It is my opinion, on a more probable than not basis, that Thomas suffered neuropsychological deficits as a result of a closed-head injury at the time of his motor vehicle accident on August 21, 2003.
2. It is my opinion, on a more probable than not basis, that the neuropsychological deficits secondary to the brain damage suffered by Thomas as a result of the motor vehicle accident on August 21, 2003 are permanent.
3. It is my opinion, on a more probable than not basis, that the psychological difficulties suffered by Thomas are a direct result of the injuries suffered at the time of the motor vehicle accident on August 21, 2003.


Duane Green, PhD, ABPP, (FAClinP)
Clinical Diplomate, American Board
Of Professional Psychology

SPOKANE PSYCHIATRY and PSYCHOLOGY, P.S.

Diplomate American Board
Psychiatry and Neurology

J. Cliff Green, M.D.

Sacred Heart Doctors Building
105 West Eighth Avenue, Suite 408
Spokane, Washington 99204-2318

Phone: (509) 455-8660
Fax: (509) 455-8662

Diplomate in Clinical Psychology
American Board of Professional Psychology

Duane Green, Ph.D., ABPP

DUANE GREEN, Ph.D., ABPP (FAClinP)

BIOGRAPHICAL DATA

Born August 23, 1945, Tuscola, Illinois

EMPLOYER

Spokane Psychiatry and Psychology, P.S.
Sacred Heart Doctors Building
105 West Eighth, Suite 408
Spokane, WA 99204-2318
(509) 455-8660 FAX: (509) 455-8662

LICENSES/CERTIFICATIONS

Diplomate in Clinical Psychology, American Board of Professional Psychology, #4160

Fellow, Academy of Clinical Psychology

Licensed Practicing Psychologist, State of Idaho, License #166

Licensed Practicing Psychologist, State of Washington, License #455

National Register of Health Service Providers of Psychology, Certificate #14493

Lifetime Standard Junior College Teaching Certificate, State of California

AREAS OF PRACTICE

Clinical Psychology
Clinical Neuropsychology
Forensic Psychology

Duane Green, Ph.D., ABPP
Curriculum Vitae
Page 2 of 6

TRAINING AND EXPERIENCE

Universities Attended:

1963-64	University of Illinois, Urbana, Illinois
1965 (summer)	University of Illinois, Urbana, Illinois
1964-67	De Pauw University, Greencastle, Indiana
1966 (summer)	University of California, Los Angeles, California
1967-69	San Diego State University, San Diego, California
1969-72	University of Southern California, Los Angeles, California

Degrees:

B.A. 1967 De Pauw University, Psychology

M.S. 1969 San Diego State University, Psychology

Ph.D. 1972 University of Southern California, Psychology

Professional Training:

1968 (summer)	Research Assistant, Fairview State Hospital, Costa Mesa, California. Project: Evaluation of Retardate Functioning in Hospital Setting
1968-69	Research Assistant, San Diego State University, San Diego, California. Project: Development of a non-verbal WISC for the physically handicapped
1969 (summer)	Clinical Intern, Community Mental Health, San Diego, California. Project: Supervised clinical training
1974	Consultant, Smokey Mountain Mental Health Center, Collowhee, North Carolina
1973-75	Post Doctoral Training, Duke University Medical Center, Department of Psychiatry, Highland Hospital Division, Asheville, North Carolina
1975-78	Individual Supervision, Northwest Psychiatric-Psychological Associates, Spokane, Washington
1989-96	Individual Supervision, International Institute For Short-term Dynamic Psychotherapy, Montreal, Quebec, Canada

Duane Green, Ph.D., ABPP
 Curriculum Vitae
 Page 3 of 6

Academic Positions:

1966-67	Undergraduate Laboratory Assistant, DePauw University. Course: Introductory Psychology Laboratory
1968-69	Graduate Teaching Assistant, San Diego State University. Course: Graduate course in Individual Intelligence Testing. 20 hrs/wk
1971-72	Instructor, Los Angeles City College
1971-72	Instructor, Los Angeles Southwest College
9/70-6/72	Research Associate, University of California, Los Angeles, California (part time)
6/72-9/72	Public Administrative Analyst II, University of California, Los Angeles
9/72-12/72	Assistant Research Psychologist, University of California, Los Angeles
12/72-6/73	Adjunct Assistant Professor, Department of Psychology, University of California, Los Angeles
1973-75	Assistant Professor of Medical Psychology, Department of Psychiatry, Highland Hospital Division, Duke University Medical Center, Asheville, North Carolina
1999-Present	Clinical Instructor, Department of Psychiatry and Behavioral Medicine, University of Washington Medical School

HONORS AND AWARDS:

1966-67	Dean's List, De Pauw University
1966-67	President, Phi Delta Theta Social Fraternity, DePauw University
1965-67	Student Senator, DePauw University
1969	Grant-in-Aid of Research, San Diego State University Foundation, Master's Thesis Award
1971-72	Research Grant, Office of Research Coordinator, University Southern California, Doctoral Dissertation Award
1979	President, Inland Empire Society of Professional Psychologists
1995-2002	Editorial Board, <u>International Journal of Short-Term Psychotherapy</u>
1997-2006	Treasurer, American Institute of Short-Term Dynamic Psychotherapy
2004-	Examiner, American Board of Professional Psychology

COMMITTEES:

1969-1970	Student Faculty Curriculum Committee, Department of Psychology, University of Southern California
1970-72	Student-Faculty Admissions Committee, Department of Psychology, University of Southern California
1973-75	Education Committee, Highland Hospital, Asheville, North Carolina

Duane Green, Ph.D., ABPP
Curriculum Vitae
Page 4 of 6

1978-81	Chairman, Washington State Psychological Association - Insurance Committee
1978-81	Member, Washington State Psychological Association Government Operations Committee
1981-87	Chairman, Psychology Committee, Department of Psychiatry, Sacred Heart Medical Center
1983-88	Member, Institutional Review Board of Spokane, Deaconess Medical Center, Holy Family Hospital, Sacred Heart Medical Center, St. Luke's, Memorial Hospital and Valley Hospital and Medical Center
1985-94	Member, Psychology Committee, Deaconess Medical Center

ORGANIZATIONS:

1. American Psychological Association; Member of Divisions: 8, 9, 12, 29, 40, 41 and 42
2. American Society of Psychologists in Private Practice
3. Association for the Advancement of Psychology
4. Spokane Psychological Association
5. Washington State Psychological Association
6. American Society of Psychology and the Law
7. National Academy of Neuropsychology
8. International Neuropsychological Society
9. American Board of Professional Psychology

REFERENCES:

Paul J. Domitor, Ph.D.
Deaconess Medical Building
801 West Fifth Avenue
Spokane, WA 99204

Allen D. Bostwick, Ph.D.
1403 South Grand Blvd., #202-N
Spokane, WA 99204

42

Duane Green, Ph.D., ABPP
Curriculum Vitae
Page 5 of 6

BIBLIOGRAPHY

DUANE GREEN, Ph.D., ABPP

The intensity of response in a thwarting situation as a function of metabolic rate. Unpublished senior thesis, De Pauw University, 1967.

The nature of social equity. Unpublished master's thesis, San Diego State University, 1969.

Dissonance and self-perception analyses of "forced compliance": When two theories make a competing predictions. Doctoral dissertation, University of Southern California, 1972.

The equity-restoring components of retaliation. Journal of Personality and Social Psychology, 1971, 38, 581-590. (With R. Graf)

The influence of affect on exposure frequency estimate. Journal of Personality and Social Psychology, 1973, 28, (1), 151-154. (With H.B. Gerald, E.S. Conolley, and M. Hoyt)

Dissonance and self-perception analyses of "forced compliance": When two theories make competing predictions. Journal of Personality and Social Psychology, 1974, 29 (6), 819-828.

The influence of affect on exposure frequency estimate. Proceedings of the 80th Annual Convention of the American Psychological Association, 1972, 173-174. (With H.B. Gerard, M.Hoyt and E.S. Conolley)

Personality traits and adjustment. In H.B. Gerard and N. Miller (Eds.), School Desegregation: A Long Range Study. New York: Plenum Press, 1975, Chapter 8, pp. 167-192.

Personality differences between the black and white children in the Riverside School District. Paper presented at the Society for the Experimental Study of Psychology. October 1970. (With N. Miller and H.B. Gerard)

Equity restoration by retaliation: A refinement. Paper presented at the annual meeting of the Western Psychological Association, Portland, April 1972.

Sociometric analysis of a racially mixed school district. Paper presented at the meeting of the Advancement of Science, Salt Lake City, June 1973. (With E.S. Conolley T. Jackson)

Racial cleavage and school desegregation. Paper presented at the annual meeting of the American Anthropological Association, New Orleans, November 1973. (With E.S. Conolley)

Duane Green, Ph.D., ABPP
Curriculum Vitae
Page 6 of 6

The forgotten person in equity-restoration: What about the victim? Paper presented at the annual meeting of the Southeastern Psychological Association, Miami, May 1974.

"Group Think" and Watergate. Paper presented at the annual meeting of the American Psychological Association, New Orleans, September 1974. (With E.S. Conolley)

The dissonance and self-perception controversy: A further clarification. Paper presented at the annual meeting of the Southeastern Psychological Association, Atlanta, Georgia, March 1975.

Interpersonal similarity and persuasiveness: The message is the medium. Unpublished manuscript. (With E.S. Conolley and A. Kaufman)

Student attitudinal alteration during education in the psychiatric setting. Unpublished manuscript. (With C.W. Neville, Jr., and D.T. Johnson)

The role of teacher expectation in a therapeutic school. Unpublished study, 1974 (With D.T. Johnson and C.W. Neville, Jr.)

Measurement of psychological conflict areas relevant to therapeutic activities programs. Unpublished study, 1975. (With S. Coe, D.T. Johnson, T.R. Faschingbauer and C.W. Neville, Jr.)

Psychiatrist's identification of goals achievable in a therapeutic activities program. Unpublished study, 1975. (With S. Coe, D.T. Johnson, and C.W. Neville, Jr.)

Duane Green, Ph.D., ABPP
Clinical Diplomate, American Board
Of Professional Psychology

44

SPOKANE PSYCHIATRY and PSYCHOLOGY, P.S.

Diplomate American Board
Psychiatry and Neurology
J. Cliff Green, M.D.

Sacred Heart Doctors Building
105 West Eighth Avenue, Suite 408
Spokane, Washington 99204-2314

Diplomate in Clinical Psychology
American Board of Professional Psychology

Phone: (509) 455-8660
Fax: (509) 455-8662

Duane Green, Ph.D., ABPP

DUANE GREEN, PH.D., ABPP**DEPOSITION/TESTIMONY****2000**

01/14/00	Kevin Giel	Deposition
01/18/00	Karin Morse	Deposition
02/04/00	Jamie Ryan	Testimony
02/09/00	Kevin Giel	Deposition
02/25/00	Ken Johnson	Deposition
04/14/00	James Jackson	Deposition
04/20/00	Orville Wilcox	Deposition
06/07/00	A. Valdez	Testimony (L&I)
08/15/00	Neil Feighner	Testimony
11/14/00	Neil Feighner	Deposition
11/15/00	Jamie Ryan	Testimony
12/20/00	Charles Sloan	Deposition
12/28/00	Michael Cord	Deposition

2001

01/12/01	M. Ingwaldson	Deposition
04/10/01	D. Oswald	Testimony
05/01/01	J. Ryan	Testimony
05/25/01	J. Farthingham	Deposition
06/07/01	Freithem	Testimony
06/12/01	R. Valley	Testimony
08/20/01	M. Lightfoot	Testimony (L&I)
07/25/01	M. Howe	Testimony
08/21/01	S. Cripe	Deposition
08/28/01	V. Ruen	Deposition
10/24/01	S. Steeves	Deposition
		Testimony

Duane Green, Ph.D., ABPP
 Deposition/Testimony
 2000-2006
 Page 2 of 4

2002

03/21/02	M. Frederick	
06/12/02	J. Bogle	Testimony
06/28/02	J. Bogle	Deposition
07/25/02	J. Plummer	Deposition
07/25/02	M. Varner	Testimony
08/08/02	M. Leonard	Testimony
11/26/02	L. Wagoner	Deposition
		Testimony (L&I)

2003

03/05/03	P. Girtz	Testimony (L&I)
04/14/03	P. Vang	Testimony
05/13/03	C. Myers	Testimony
05/29/03	P. Wynn	Testimony
05/29/03	M. Peone	Deposition
05/29/03	P. Wynn	Testimony
06/25/03	N. Manring	Deposition
07/22/03	P. Wynn	Testimony
07/24/03	C. Miller	Testimony

2004

01/28/04	M. Davis	Deposition
03/05/04	T. Silva	Deposition
06/22/04	R. Fish	Testimony
07/07/04	R. Johnson	Testimony
07/15/04	J. Nannenga	Testimony
10/14/04	M. McLaughlin	Deposition
11/16/04	T. Inge	Deposition
12/29/04	F. Tull	Deposition

Duane Green, Ph.D., ABPP
Deposition/Testimony
2000-2006
Page 3 of 4

2005

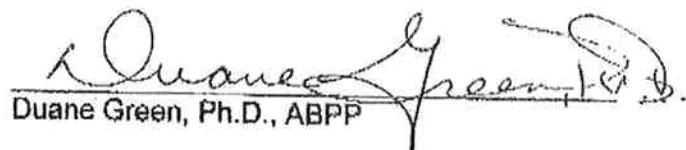
03/28/05	M. Wahlquist	Deposition
05/05/05	J. Howland	Deposition
08/04/05	L. Isbelle	Deposition
08/15/05	G. Frame	Deposition
09/01/05	J. Ohler	Deposition
09/07/06	M. Wahlquist	Testimony
09/13/05	F. Kinzel	Deposition
09/13/05	E. Ward	Deposition
09/13/05	J. Pierce	Deposition
11/21/05	R. Gumno	Testimony
12/01/06	V. Slaugh	Testimony
12/06/05	D. Karaba	Deposition
12/21/05	C. Pauls	Deposition

2006

01/19/06	C. Pauls	Testimony
04/05/06	V. Slaugh	Testimony
04/28/06	D. Ward	Deposition
06/01/06	L. Ruen	Deposition
06/29/06	G. Adkins	Testimony
08/29/06	R. Schaeffer	Deposition
09/13/06	R. Schaeffer	Testimony
10/06/06	P. Stillmunkes	Testimony

Duane Green, Ph.D., ABPP
Deposition/Testimony
2000-2006
Page 4 of 4

To the best of my knowledge this list is reconstructed as accurately as possible as of October 26, 2006.


Duane Green, Ph.D., ABPP

10-26-06
Date